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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,379	01/02/2002	Robert M. Porter	AEI VRM USNPI	8713
33549	7590	03/25/2005	EXAMINER	
SANTANGELO LAW OFFICES, P.C. 125 SOUTH HOWES, THIRD FLOOR FORT COLLINS, CO 80521				BERHANE, ADOLF D
			ART UNIT	PAPER NUMBER
				2838

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/030,379	PORTER ET AL.
	Examiner	Art Unit
	Adolf Berhane	2838

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 17 September 2004.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 254-266, 328-337, & 358-416 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) See Continuation Sheet is/are rejected.
- 7) Claim(s) See Continuation Sheet is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

Continuation of Disposition of Claims: Claims rejected are 254-257,259/254,261,264,328-331,333-337,358-369,378-381,383,384,391,396-398,400/358,402,405,408-410 & 412-415.

Continuation of Disposition of Claims: Claims objected to are 258,259/285,260,262,263,265,266,332,370-377,382,385-390,392-395,399,400/399,401,403,404,406,407,411 & 416.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 254-257, 259/254, 261, 264, 328-331, 333-337, 358-369, 378-381, 383, 384, 391, 396-398, 400/358, 402, 405, 408-410, and 412-415 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Applicant's admitted prior art.

Applicant's admitted prior art disclose the claimed invention in Figs. 1-1 and 1-2. Fig. 1-2 shows a utility power – 101, first rectifier 102, inverter 103, second rectifier 105, connector 108 and DC output to peripherals. Fig. 1-1 shows the controller for the rectifiers.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 254-257, 259/254, 261, 264, 328-331, 333-337, 358-369, 378-381, 383, 384, 391, 396-398, 400/358, 402, 405, 408-410, and 412-415 are rejected under 35 U.S.C. 102(a) as being anticipated by Wagner et al.

Wagner et al. disclose a communications processor remote host and multiple unit control devices and methods for micro power generation systems in Figs. 2 and 3. Fig. 2 shows the detail of the line power unit 100, utility grid 99, a PMG rectifier 60, main inverter 70, start inverter 80, first rectifier 83a, second rectifier 83b, overlap conduction control/ passive sinusoidal drive system 84.

***Allowable Subject Matter***

5. Claims 258, 259/258, 260, 262, 263, 265, 266, 332, 370-377, 382, 385-390, 392-395, 399, 400/399, 401, 403, 404, 406, 407, 411 and 416 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and a timely filed terminal disclaimer.

***Response to Arguments***

6. Applicant's arguments filed 9/17/04 have been fully considered but they are not persuasive. Applicant points to text from page 30, line 28 to page 31, line 6, and text from page 31, line 10 to page 32, line 14 in support of the overlapping conduction rectifier control system. The above text on the cited pages don't support the definition of an overlapping conduction rectifier control system in fact does not mention having an overlapping conduction rectifier control system leave alone explaining it. Therefore the overlapping conduction rectifier control system is given its broadest interpretation. Applicant's admitted prior art Fig. 1-1 controller and the overlap conduction control 84 in Wagner et al. read on the overlapping conduction control system which makes sure the rectifier are not overlapping. Applicant also point to text from page 19, lines 14-31 in

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support of a passive sinusoidal drive system. The above text does not mention a passive sinusoidal drive system. Therefore the passive sinusoidal drive system is given its broadest interpretation. Applicant's admitted prior art Fig. 1-1 controller and the controller 84 in Wagner et al. read on the passive sinusoidal drive system which makes sure the rectifier are properly driven.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adolf Berhane whose telephone number is 571-272-2077. The examiner can normally be reached on Monday- Friday 8 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on 571-272-2084. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Adolf Berhane  
Primary Examiner  
Art Unit 2838